

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
COLUMBUS DIVISION**

J.W.,

Plaintiff,

v.

COMMISSIONER OF SOCIAL
SECURITY,

Defendant.

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Case No. 4:23-cv-00181-MSH

ORDER

Pursuant to the power of this Court to enter a judgment affirming, modifying, or reversing the Commissioner's decision with remand in Social Security actions under sentence four of section 205(g) of the Social Security Act, 42 U.S.C. § 405(g), and in light of the parties' consent motion to remand this action, this case is hereby remanded.

Upon remand, the Appeals Council should instruct the administrative law judge to (1) further evaluate the persuasiveness of Dr. Foster's opinion under the relevant regulations; (2) evaluate Plaintiff's maximum residual functional capacity; (3) obtain supplemental testimony from a vocational expert; (4) update the administrative record as necessary; (5) offer Plaintiff the opportunity for a new hearing; and (6) issue a new decision.

Therefore, this Court hereby reverses the Commissioner's decision under sentence four of 42 U.S.C. §405(g) with a remand of the cause to the Commissioner for further proceedings. *See Shalala v. Schaefer*, 509 U.S. 292 (1993); *Melkonyan v. Sullivan*, 501

U.S. 89 (1991). The Clerk of the Court will enter a separate judgment pursuant to Rule 58 of the Federal Rules of Civil Procedure.

SO ORDERED, this 29th day of April, 2024.

/s/ Stephen Hyles

UNITED STATES MAGISTRATE JUDGE